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PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Thursday, 23 May 2019 at 11.00 am in the The Executive Meeting Room - Third Floor, The Guildhall

These minutes should be read in conjunction with the agenda and associated papers for the meeting.

Present

Councillors Hugh Mason (Chair)
Matthew Atkins
Steve Pitt
Donna Jones
Terry Norton
Luke Stubbs
Claire Udy

Welcome

The chair welcomed members of the public and members to the meeting.

Guildhall, Fire Procedure

The Chair explained to all present at the meeting the fire procedures including where to assemble and how to evacuate the building in case of a fire.

46. Apologies (AI 1)

Apologies for absence had been received from Councillors Suzy Horton, Lee Hunt, Judith Smyth, and from Councillor Chris Attwell as Councillor Horton's standing deputy.

47. Declaration of Members' Interests (AI 2)

Item 4

Councillor Donna Jones declared the following Disclosable and Pecuniary Interest: she works for Portsmouth Football Club as a Strategic Stadium Director.

Item 3

The Legal Advisor declared a non-prejudicial interest on behalf of one of the Democratic Services Officers: she lives in the area. She had been advised that this does not interfere with her administrative functions and therefore is not a prejudicial interest.

48. Minutes of Previous Meetings - 20 February and 10 April 2019 (AI 3)

RESOLVED that the minutes of the Planning Committee meetings held on 20 February 2018 and 10 April 2019 be approved as correct records to be signed by the Chair.

49. Updates on previous planning applications (AI 4)

There were no updates on previous planning applications.

Chair's Notices

The Chair advised that meetings would revert to being held on their usual time and day on Wednesdays at 1pm.

The Chair thanked members who had attended the Planning training yesterday and advised that training scheduled for Wednesday 5 June would now be held on Tuesday 25 June. Although the training is not compulsory, it is highly recommended that members attend as otherwise the council could be open to legal challenges. Whether or not members have had training is taken into account when the High Court considers planning appeals. It was suggested that the training on 25 June could cover general topics in the morning and specific topics in the afternoon. Individual training can be arranged for members.

ACTION: The Planning Officers would make the necessary arrangements.

50. 19/00160/FUL - 29 Marmion Road, Southsea PO5 2AT (AI 5)

19/00160/FUL 29 Marmion Road Southsea PO5 2AT

Installation of an extractor duct to rear elevation

The Planning Officer introduced the report.

A deputation against the application was made by Christopher Eldred, a resident of Climaur Court, objecting on behalf of 17 other neighbouring residents.

Members' Questions

In response to questions from members, officers clarified the following points:

- There were two Velux windows in the roof. The flue extends to the ridge of the roof so that the discharge is at a sufficient height; however, issues relating to vents are outside the committee's remit and are not a reason to withhold consent.
- Officers agreed details from this and a previous application should be co-ordinated. The original application only covered change of use (from shop A1 to restaurants and café A3). Not all such changes of use require vents and ducting for restaurants. The original application had only covered grilling but the applicants now want more cooking.
- Environmental Health had carried out checks with regard to noise and if they were not satisfied they would have asked for more technical information and not recommended approval.
- Members were advised that they needed to assess whether the proposed extractor duct is in a suitable location and its visual appearance, not which elevation it is on.
- The Environmental Health Officers would have considered the height and speed of discharge of the down draft and that it would be high and fast enough.

- Condition 3 stipulates that anti-vibration mounts should be fitted. It was unclear to what extent the mounts would remove or mitigate vibrations.
- Officers had discussed the application with the Conservation Officer. The property is not listed (although it is in a conservation area) and the main Marmion Road frontage would not be affected as the duct would be sited at the rear. Members were advised that they must assess the application's impact on the conservation area and the fact that it is a newer building is a factor to consider. Members have to judge if it would have a wider adverse impact.

Members' Comments

During the discussion members made the following observations:

- It was noted that the change of use would mean that an otherwise empty building could be put to use and that there is now more demand for restaurants and takeaways than retail.
- Although the duct is at the rear of the building, for residents of Climaur Court it is on the front of their building. Furthermore, if the duct is attached to their building it ceases to be in keeping with the conservation area.
- There may be a fire risk as venting in the roof could be blocked, depending on if there is a fire break in the apex roof. Roof lights may not have been given full consideration.
- There were concerns about the duct's intrusive appearance, especially in Wilton Place, and the general effect on Marmion Road.
- Members were advised that if they were to refuse on the grounds of air quality they would lack an evidential base as this has already been assessed by Environmental Health. However, members can assess the visual impact.
- Members agreed that they were concerned about the size and visibility of a commercial type duct and that it is not appropriate on the front of Climaur Court, which is the residents' entry and exit, and where the building's name is displayed. The commercial aspects of the building are the front and side elevations whereas residents will see a commercial addition to the residential elevation.

RESOLVED that permission is refused.

REASONS

The proposed development by reason of its size, utilitarian/commercial design, and prominent position to the front elevation of Climaur Court, would introduce an intrusive and discordant feature to the detriment of the visual appearance of the residential property. The proposed development would cause harm to the character and appearance of the Owen's Southsea Conservation Area and would fail to outweigh any public benefit associated with the proposal. Therefore the proposal would be contrary to Policy PCS23 of the Portsmouth Plan and the principles of good design set out within the National Planning Policy Framework

51. 19/00215/FUL - 35 Kingsley Road, Southsea, PO4 8HJ (AI 7)

19/00215/FUL 35 Kingsley Road Southsea PO4 8HJ

Change of use from Dwellinghouse (Class C3) to purposes falling within Class C4 (House in Multiple Occupation) or Class C3 (Dwellinghouse).

The Chair agreed to bring forward item no.3 as the applicant had another commitment.

The Planning Officer introduced the item.

Romayne Spooner made a deputation in support of the application

Members' Questions

In response to a question, officers confirmed that condition 3 specifies the property is for three people. If more people were to occupy it then the applicant would have to re-apply for planning permission.

Members' Comments

Members emphasised the point that as all the bedrooms are a generous size and bigger than the required standard, this compensates for the bathroom being slightly smaller than the required standard and therefore permission could be granted on these grounds.

RESOLVED that conditional permission be granted.

52. 19/00295/CS3 - 45A High Street, Portsmouth, PO1 2LU (AI 6)

19/00295/CS3 45A High Street Portsmouth PO1 2LU

Replacement of asbestos roof; replacement of communal stairs windows and replacement of boundary railing

The Planning Officer presented the report.

Deputations were made by:

- Terence Smith, a resident, against the application.
- Stuart Lane, a surveyor with Portsmouth City Council (PCC), in support of the application.

Members' Questions

In response to questions from members, the Planning Officers clarified the following points:

- The gate is an introduction to the property's boundary and is in line with the front door.
- The visual impact of the roof is not the committee's consideration; the issue is the visual impact of the replacement of the roof.
- Manufacturers' comments about the railings cannot be taken into consideration.
- It was acknowledged that the replacement window design changed the side panels and it would be a pity if it was recessed. Conditions could be made about the window but there could be problems with keeping the original appearance.

Members acknowledged the need to comply with building regulations when refurbishing existing buildings.

- The tiles on the front elevation, which are in keeping with the 1960s architecture, would be retained. The words "replaced with a plain white render" will be deleted from the application.

Members' Comments

Members noted leaseholders have to pay for the work. The cost of the work is a matter for Housing.

RESOLVED that permission be granted subject to condition 2 being amended to state that approval of the final design of the casement window be delegated to Planning Officers.

53. 19/00518/FUL - Fratton Park, Frogmore Road, Portsmouth, PO4 8RA (AI 8)

19/00518/FUL Fratton Park Frogmore Road Southsea PO4 8RA

Relocation of 34M lattice column within secure enclosure

Cllr Donna Jones withdrew from the meeting at 12.50pm as she had declared an interest in this item.

The Planning Officer presented the report.

Matthew Pickup made a deputation in support of the application.

Members' Questions

There were no questions from members.

Members' Comments

Members agreed that the column had iconic value for Portsmouth's football heritage, was part of the Portsmouth landscape and that it would have little to no impact on the surrounding area.

RESOLVED that conditional permission be granted.

The meeting concluded at 1.05 pm.

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Signed by the Chair of the meeting
Councillor Hugh Mason

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